

**STATE BOARD MEETING DATE** September 25, 2006

**SUBJECT:** Consideration of Review Case #C-03-06-01, David C. VanDruff

**SUBMITTED BY:** Rachell L. Tucker, Chief Investigator, Investigative Unit, State Board of Education

**MANAGEMENT TEAM REVIEW:** September 7, 2006

**BACKGROUND INFORMATION:**

David C. VanDruff applied for Renewal of his Standard Elementary Education teaching certificate on June 3, 2003. On his application for certification, Mr. VanDruff answered "yes" to having been convicted of a felony offense and arrested for any offense for which he was fingerprinted.

Mr. VanDruff disclosed that he was arrested on March 13, 2003 for Disorderly Conduct. The Investigative Unit found that Mr. VanDruff was not forthright in the disclosure of his entire arrest history. Mr. VanDruff had also been arrested for the following offenses:

- Trespassing, on or about May 15, 1973 in Huntington, Beach, CA with a subsequent conviction.
- Trespassing on or about December 12, 1973 in Santa Ana, CA with a subsequent conviction.
- Trespassing on or about September 23, 1985 in Phoenix, AZ with a subsequent conviction.

On December 12, 2005, the Investigations Unit sent a letter, via certified mail, informing Mr. VanDruff that his application would require a review by the State Board of Education and requested that he submit a notarized statement regarding his entire arrest history, police and court records and letters of recommendation. Mr. VanDruff did submit all requested documentation to the Investigative Unit.

The Professional Practices Advisory Committee (the "PPAC") interviewed Mr. VanDruff on August 22, 2006. At this proceeding, the PPAC found that Mr. VanDruff's conduct constituted immoral and unprofessional conduct at the time it occurred and made the applicant unfit to teach and had an adverse effect on or within the school community. However, the PPAC found sufficient evidence exists that mitigates the applicant's conduct. The PPAC made its recommendation based upon the following mitigating factors:

- Sought outpatient treatment through the Gila Community, which he successfully completed;
- Successfully completed anger management counseling in September 2003;
- Numerous letters of recommendations both personally and professionally;
- Teaching experience that was demonstrated;
- The absence of criminal charges since he completed his treatment.

The following aggravated factors were also considered:

- The inherent seriousness of the most recent incident of disorderly conduct of March 12, 2003;
- Repetitive nature of criminal conduct which is based on alcohol abuse;
- Lack of concern for the public perception of a professional status over the conduct that he has displayed repeatedly;

- Denial of the seriousness and history of his alcohol problem that may infringe on his professional competence.

**BOARD ACTION REQUESTED: [ ] INFORMATION [X] ACTION/DESCRIBED BELOW**

That the Board accept the findings of fact, conclusions of law and recommendation of the PPAC and grant David C. VanDruff's application for certification.

**ATTACHMENTS: YES [X] NO [ ]**